

AN ACT

RELATING TO MOTOR VEHICLE RECORDS; AMENDING A SECTION OF THE  
MOTOR VEHICLE CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-2-7.1 NMSA 1978 (being Laws  
1995, Chapter 135, Section 4) is amended to read:

"66-2-7.1. MOTOR VEHICLE-RELATED RECORDS--  
CONFIDENTIAL. --

A. It is unlawful for any department employee or  
contractor or for any former department employee or  
contractor to disclose to any person other than another  
employee of the department any personal information about an  
individual obtained by the department in connection with a  
driver's license or permit, the titling or registration of a  
vehicle or an identification card issued by the department  
pursuant to the Motor Vehicle Code except:

(1) to the individual or the individual's  
authorized representative;

(2) for use by any governmental agency,  
including any court, in carrying out its functions or by any  
private person acting on behalf of the government;

(3) for use in connection with matters of  
motor vehicle and driver safety or theft; motor vehicle  
emissions; performance monitoring of motor vehicles, motor

vehicle parts and dealers; motor vehicle market research activities, including survey research; motor vehicle production alterations, recalls or advisories and removal of non-owner records from original owner records of motor vehicle manufacturers;

(4) for use in research activities and for use in producing statistical reports so long as the personal information is not published, redisclosed or used to contact individuals;

(5) for use by any insurer or insurance support organization or by a self-insured entity or its agents, employees or contractors in connection with claims investigation activities, antifraud activities, rating or underwriting;

(6) for providing notice to owners of towed or impounded vehicles;

(7) for use by an employer or its agent or insurer in obtaining or verifying information relating to a holder of a commercial driver's license;

(8) for use by any requester if the requester demonstrates that it has obtained the written consent of the individual to whom the information pertains;

(9) for any use in response to requests for individual motor vehicle records if the department has provided in a clear and conspicuous manner on forms for

issuance or renewal of operator's permits, titles, registrations or identification cards notice that personal information collected by the department may be disclosed to any person and the department has provided in a clear and conspicuous manner on such forms an opportunity to prohibit such disclosures; or

(10) for use by an insured state-chartered or federally chartered credit union; an insured state or national bank; an insured state or federal savings and loan association or insured savings bank; but only:

(a) to verify the accuracy of personal information submitted by an individual to the credit union, bank, savings and loan association or savings bank; and

(b) if the information as submitted is not correct or is no longer correct, to obtain the correct information, but only for the purpose of preventing fraud by, pursuing legal remedies against or recovering on a debt or security interest from the individual.

B. Any person who violates the provisions of this section is guilty of a misdemeanor and upon conviction shall be punished in accordance with the provisions of Section

31-19-1 NMSA 1978. "

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